IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 358 OF 2007

CLUB VANILLA THROUGH PARTNER RINAN ISMAIL ... Petitioner

Versus

GOA COSTAL ZONE MANAGEMENT AUTHORITY THROUGH MEMBER SECRETARY AND 6 ORS., ... Respondents

Mr. S.G. Dessai, Sr. Advocate with Mr. Shivan Dessai, Advocate for the Petitioner.
Ms. W. Coutinho, Government Advocate for Respondents No.1 to 4.
Mr. C.A. Fereira, Assistant Solicitor General for Respondent No.5.
Ms. Norma Alvares, Advocate for Respondent No.6.

Coram:- R. S. MOHITE &
N. A. BRITTO, JJ.

Date:- 18th July, 2007

P.C.:

The Advocate for the Petitioner, after taking instructions from Ms. Rinan Ismail, who is the partner of the Petitioner Club gives an undertaking to this Court that the offending structure which is known as Vanilla Lounge Bar will be totally removed and the area on which it stands will be restored back to its natural or original form within a period of fourteen days from today. He gives further undertaking that the written undertaking in this regard will be filed in this Court within a week and that till the demolition is carried out, no business of any sort will be carried out in the said Club. The undertakings are accepted and the petition is disposed off.

It is made clear that there will always be liberty to the Petitioner to make an application to the State of Goa/local Authority to put up temporary structure, if permitted by law after obtaining necessary

permissions required at the relevant time. The Petitioner will have liberty to make an application and the same will be considered in accordance with the law prevailing on the date when permission is sought.

In view of the acceptance of the undertakings, nothing survives in the petition and the same is disposed off.

Since there is likely to be an Village Panchayat inquiry which has been the subject matter of the earlier petition disposed off by us, wherein the Village Panchayat filed an affidavit that they will issue show cause notice, after demolition, the petitioner will be at liberty to apply to the Village Panchayat not to issue a show cause notice.

R. S. MOHITE, J.

N. A. BRITTO, J.

NH